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Date of Signature and Deposit: June 15, 2004

  
Zhibin Ren

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Marcin S. Filutowicz  
Serial No.: 09/651,290  
Filed: August 30, 2000  
Title: ANTI-MICROBIAL BIOTHERAPEUTIC AGENTS:  
ALTERNATIVES TO CONVENTIONAL PHARMACEUTICAL  
ANTIBIOTICS  
Group Art Unit: 1645  
Examiner: Ford, Vanessa L.  
Attorney Docket No.: 960296.00084

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**RESPONSE**

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Dear Sir:

In response to the Office Action mailed March 19, 2004, please amend the above-identified application as follows:

**Amendments to the Claims** begin on page 2 of this paper.

**Arguments/Remarks** begin on page 6 of this paper.



1645  
JRW

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

### Complete if Known

Application Number	09/651,290
Filing Date	08/30/2000
First Named Inventor	Marcin S. Filutowicz
Examiner Name	Ford, Vanessa L.
Art Unit	1645
Attorney Docket No.	960296.00084

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 0.00

### METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:  
 Deposit Account Number: 17-0055  
 Deposit Account Name: Quarles & Brady LLP

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

1. BASIC FILING FEE		Fee Description	Fee Paid
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ ) 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  -20\* =  X  =  0.00  
 Independent Claims  -3\*\* =  X  =  0.00  
 Multiple Dependent  =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	1201 86	2201 43	Claims in excess of 20	
1203 290	2203 145	1204 86	2204 43	Independent claims in excess of 3	
				Multiple dependent claim, if not paid	
				** Reissue independent claims over original patent	
				** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ ) 0.00

\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

3. ADDITIONAL FEES		Fee Description		Fee Paid
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)			
1051 130	2051 65	Surcharge - late filing fee or oath		
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet		
1053 130	1053 130	Non-English specification		
1812 2,520	1812 2,520	For filing a request for ex parte reexamination		
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action		
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action		
1251 110	2251 55	Extension for reply within first month		
1252 420	2252 210	Extension for reply within second month		
1253 950	2253 475	Extension for reply within third month		
1254 1,480	2254 740	Extension for reply within fourth month		
1255 2,010	2255 1,005	Extension for reply within fifth month		
1401 330	2401 165	Notice of Appeal		
1402 330	2402 165	Filing a brief in support of an appeal		
1403 290	2403 145	Request for oral hearing		
1451 1,510	1451 1,510	Petition to institute a public use proceeding		
1452 110	2452 55	Petition to revive - unavoidable		
1453 1,330	2453 665	Petition to revive - unintentional		
1501 1,330	2501 665	Utility issue fee (or reissue)		
1502 480	2502 240	Design issue fee		
1503 640	2503 320	Plant issue fee		
1460 130	1460 130	Petitions to the Commissioner		
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)		
1806 180	1806 180	Submission of Information Disclosure Stmt		
8021 40	8021 40	Recording each patent assignment per property (times number of properties)		
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))		
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))		
1801 770	2801 385	Request for Continued Examination (RCE)		
1802 900	1802 900	Request for expedited examination of a design application		
Other fee (specify) _____				
*Reduced by Basic Filing Fee Paid				
SUBTOTAL (3)			(\$ ) 0.00	

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Zhibin Ren	Registration No. (Attorney/Agent)	47,897
Signature		Telephone	414-277-5633
		Date	06/15/2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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